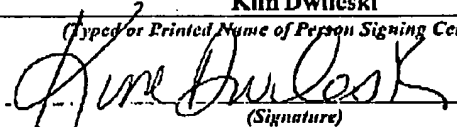


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. BU/R9-2000-0060US2
Applicant(s): Hulvey et al.			
Application No. 10/645,282	Filing Date 8/21/2003	Examiner Nguyen, Cuong Quang	Group Art Unit 2811
Invention: REDUNDANT INTERCONNECT HIGH CURRENT BIPOLAR DEVICE AND METHOD FOR FORMING THE DEVICE			
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OCT 12 2005			
I hereby certify that this _____ <u>Species Restriction Election with Amendment (8 pages)</u> _____ (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>10/12/2005</u> (Date)			
<div style="text-align: right;"><u>Kim Dwileski</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</div>			
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hulvey et al.

Art Unit: 2811

Serial No.: 10/645,282

Dkt. No.: BUR9-2000-0060US2

Filed: 08/21/2003

Examiner: Nguyen, Cuong Quang

Title: **REDUNDANT INTERCONNECT HIGH CURRENT BIPOLAR DEVICE AND METHOD FOR FORMING THE DEVICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SPECIES RESTRICTION ELECTION WITH AMENDMENT

By amendment herein and in response to the species restriction requirement dated September 26, 2005, Applicants hereby provisionally elect, with traverse, the species of Embodiment 3 described in FIGS. 4A and 4B. Claims 16-20 and 32-35 read on the elected species. No claim is generic.

Applicants respectfully contend that the species restriction is improper and should be withdrawn, because a search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

10/849,459

1

In addition, Applicants respectfully contend that the species restriction is improper, because the species of Embodiments 1, 2, 3, 4, and 5 recited by the Examiner are not mutually exclusive. See MPEP § 806.04(f) which asserts: "Claims to be restricted to different species must be mutually exclusive".

Applicants assert that the five species are not mutually exclusive, because:

- 1) the structure of FIGS. 3A-3B comprises the structure of FIGS. 2A-2B (with added layers 126, 130, 134, 138) so that the species of Embodiments 1 and 2 are not mutually exclusive;
- 2) the structure of FIGS. 4A-4B comprises the structure of FIGS. 3A-3B (with added layers 142 and 148, and added levels to wiring stack 123) so that the species of Embodiments 2 and 3 are not mutually exclusive, and Embodiments 1-3 are therefore not mutually exclusive;
- 3) the structure of FIG. 5 comprises the structure of FIGS. 4A-4B (as multiple transistors 100) so that the species of Embodiments 3 and 4 are not mutually exclusive, and Embodiments 1-4 are therefore not mutually exclusive; and
- 4) the structure of FIG. 6 comprises the wiring levels of the structure of FIG. 5 (from near side 162 to far side 164 of FIG. 5) so that the species of Embodiments 4 and 5 are not mutually exclusive, and Embodiments 1-5 are therefore not mutually exclusive.

Based on the preceding analysis, Applicants respectfully contend that the species restriction is improper and should be withdrawn.